NOV 2 8 2006

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SCULLY, SCOTT, MURPHY & PRESSER, P.C.



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| To: | Examiner: Matthew J. Kasztejna From | Seth Weinfeld | | | | |
|--------|--|---------------------------------|--|--|--|--|
| | Group Art Unit: 3739 | | | | | |
| Fax: | 571-273-8300 Page | s: 18 | | | | |
| Phone | Date: | November 28, 2006 | | | | |
| Re: | USSN: 10/766,581 Filed: January 27, 2004 Inventor: Akio Uchiyama Our Docket: 17406 | | | | | |
| □ Urge | ent 🛘 For Review 🗘 Please Comment | ☐ Please Reply ☐ Please Recycle | | | | |
| • Com | ments: | | | | | |
| Attac | hed for entry into the above applica | tion are: | | | | |

- 1) Amendment Transmittal in duplicate
- 2) Supplemental Amendment
- 3) Transmittal of Information Disclosure Statement
- 4) Information Disclosure Statement with \$180.00 fee
- Authorization to Charge Deposit Account \$180.00
- Certificate of Facsimile Transmission

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4/ 18

NOV 2 8 2006

| AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Akio Uchiyama | | | | | | Docket No. 17406 | |
|--|-------------------------|------------------------------|------------|------------|---|---------------------|------------|
| Application No. | Filing Date | ing Date Examiner Customer N | | No. | Group Art Unit | Confirmation No. | |
| 10/766,581 | January 27, 2004 | Kasztejna, Matthew | John | 23389 | . | 3739 | 3837 |
| Invention: CAPS | SULE MEDICAL DEV | ICE | | | | | |
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| COMMISSIONER FOR PATENTS: | | | | | | | |
| Transmitted herew | ith is an amendment i | n the above-identified a | pplication | on. | | | |
| The fee has been o | calculated and is trans | mitted as shown below | | | | | |
| | | CLAIMS AS AM | ENDED |) | | | |
| | CLAIMS REMAINING | HIGHEST # | NUMBI | ER EXTRA | | RATE | ADDITIONAL |
| | AFTER AMENDMENT | PREV. PAID FOR | CLAIMS | PRESENT | | MAIL | FEE |
| TOTAL CLAIMS | 4 - | 27 = | ļ | 0 | × | \$50.00 | \$0.00 |
| INDEP, CLAIMS | 1 - | 5 = | <u> </u> | 0 | х | \$200.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) \$0.00 | | | | | | | |
| | | TOTAL ADDITIONAL I | FEE FO | R THIS AMI | END | MENT | \$0.00 |
| No additional fee is required for amendment. Please charge Deposit Account No. 19-1013 SSMP in the amount of A check in the amount of to cover the filling fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMP Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card Information and authorization on PTO-2038. Dated: November 28, 2006 | | | | | | | |
| Seth Weinfeld, Registration No. 50,929 Scully, Scott, Murphy & Presser, P.C. Typed or Printed Name of Person Mailing Correspondence Typed or Printed Name of Person Mailing Correspondence Typed or Printed Name of Person Mailing Correspondence | | | | | cient postage as first missioner for Patents, 37 CFR 1.8(a)] on | | |

2/ 18

NOV 2 8 2006

| AMENDMENT TRANSMITTAL LETTER (Lar Applicant(s): Akio Uchiyama | | | | tity) | | Docket No. 17406 | |
|---|-------------------------|--------------------------|------------|--|----------------|---|------------|
| Application No. Filing Date Examiner | | | Customer N | o. (| Group Art Unit | Confirmation No. | |
| 10/766,581 | January 27, 2004 | Kasztejna, Matthew | John | 23389 | | 3739 | 3837 |
| Invention: CAPS | SULE MEDICAL DEV | ICE | | | | | |
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| The fee has been o | calculated and is trans | mitted as shown below | • | | | | _ |
| | | CLAIMS AS AM | ENDED |) | | | |
| | CLAIMS REMAINING | HIGHEST # | NUMB | NUMBER EXTRA | | | ADDITIONAL |
| | AFTER AMENDMENT | PREV. PAID FOR | CLAIMS | PRESENT | | RATE | FEE |
| TOTAL CLAIMS | 4 - | 27 = | | 0 > | (| \$50.00 | \$0.00 |
| INDEP. CLAIMS | 1 - | 5 = | | 0 > | . | \$200.00 | \$0.00 |
| Multiple Dependen | t Claims (check if app | licable) | · | | | | \$0.00 |
| | | TOTAL ADDITIONAL F | EE FO | R THIS AME | ND | MENT | \$0.00 |
| No additional fee is required for amendment. Please charge Deposit Account No. 19-1013 SSMP in the amount of A check in the amount of to cover the filing fee is enclosed. The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-1013/SSMIP Any additional filing fees required under 37 C.F.R. 1.16. Any patent application processing fees under 37 CFR 1.17. Payment by credit card. Form PTO-2038. WARNING: Information on this form may become public. Credit card Information should not be included on this form. Provide credit card information and authorization on PTO-2038. Dated: November 28, 2006 Signature Seth Weinfeld, Registration No. 50,929 | | | | | | | |
| Scully, Scott, Murphy & Presser, P.C. the United States Postal Service with sufficient postage as class mail in an envelope addressed to "Commissioner for Pate P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on (Date) Signature of Person Mailing Correspondence | | | | | | missioner for Patents, 37 CFR 1.8(a)) on | |
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| | Date | | | | | | |
| | Seth h | ladely | | | | | |
| | Signature | | | | | | |
| | | | | | | | |
| | Seth Weinfeld | | | | | | |
| | Typed or printed name of person signing Certificate | | | | | | |
| | 50,929 | 516-742-4343 | | | | | |
| | Registration Number, if applicable | Telephone Number | | | | | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Akio Uchiyama

Examiner:

Kasztejna, Matthew J.

Serial No:

10/766,581

Art Unit:

3739

Filed:

January 27, 2004

Docket:

17406

For:

CAPSULE MEDICAL

Dated:

November 28, 2006

DEVICE

Confirmation No. 3837

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111

Sir:

Supplemental to the Response filed on September 5, 2006 and further in response to the Official Action dated June 1, 2006, Applicant respectfully requests reconsideration of the application in view of the following amendments and remarks.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: November 28, 2006

Seth Weinfeld